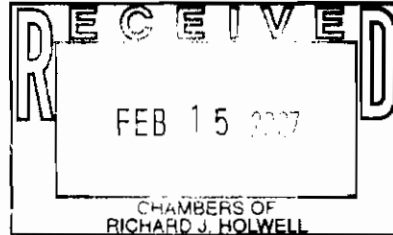


February 14, 2007

BY OVERNIGHT COURIER

Hon. Richard J. Holwell
United States District Judge
500 Pearl Street, Room 1950
New York, N.Y. 10007



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Re: Carboni v. Lake, 06 Civ. 15488 (RJH)

Dear Judge Holwell:

I am one of the attorneys for the defendants and submit this letter on behalf of all parties.

Allow me first to confirm the scheduling arrangements set in our conference last Friday, February 9. Defendants will serve the papers on their motion to compel arbitration by Friday, March 16, 2007. Answering papers are to be served by Friday, April 27, 2007, with any reply papers to be served not later than Friday, May 18, 2007. Oral argument is scheduled for Friday, June 22, 2007, at 2:30 P.M. in Courtroom 17B. Meanwhile, the defendants' time to respond to the complaint is extended to a date to be set by future order. } *TP*

Since the conference, the parties have further investigated the citizenship of the individual defendant. I am authorized to report that all counsel agree that he is a citizen of New Jersey and that the Court therefore has diversity jurisdiction.

Respectfully submitted,

Michael O. Ware (MW-0290)

SC ORDERED

2/11/07

CS 125

2/25/07

cc by email:

Pierre Sussman, Esq.
Herman Wun, Esq.

Berlin Brussels Charlotte Chicago Cologne Frankfurt Hong Kong Houston London Los Angeles New York Palo Alto Paris Washington, D.C.
Independent Mexico City Correspondent: Jauregui, Navarrete y Nader S.C.

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